

REMARKS

Claims 1 – 52 are pending. Claims 1 – 52 stand rejected over Abelow (PCT Application WO 94/03865) under 35 U.S.C. § 103(a). Applicant respectfully requests reconsideration of the application in light of the following remarks.

Claim 1

Applicant claims in claim 1:

1. A method for creating a multi-region market research study, the method comprising :
  - providing on-line definition of the multi-region market research study including providing for on-line selection of one or more regions to conduct the study ;
  - notifying one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages ;*
  - providing on-line check in for the translated study elements ; and
  - providing on-line status monitoring for the translations.*

(emphasis added)

The Office Action states that Abelow provides "notifying one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages" at pages 49-50 and Figs. 10A-10B (which correspond to pages 49-50). Applicant submits this misapplies the reference. Figures 10A and 10B illustrate operation of a CB-PD Module interacting with a customer. See Abelow, p. 49. The CB-PD module is part of a customer product, and engages customers in Development Interactions while the customer product is in use. See Abelow, p. 8.

In these Development Interactions with a customer, a different language may be used. See Abelow, p. 50. This is set as a permanent flag for the user, so that future interactions are all in the selected language. Id. What this does not represent is actual translation. Rather, it represents accessing various different scripts, based on the permanent flag. Since no translation is provided, and certainly not enabled, no translation services are notified within the meaning of claim 1, among other aspects of claim 1. Importantly, it must be understood that references to the Development Interactions relate to interactions with customers regarding development of future products (see Abelow, p. 8), not development of surveys in various languages. Thus, no notification of translation services is provided. Moreover, "providing on-line status monitoring for the translations" among other aspects of claim 1, is neither taught nor suggested, as the process by which a translator provides translations is not described in the Abelow reference. Thus, the rejection of claim 1 should be withdrawn, for at least these reasons.

#### Claim 8

Applicant claims in claim 8:

8. A method for creating a multi-region market research study, the method comprising :  
providing on-line definition of research methods of the multi-region market research study,  
providing on-line selection of one or more regions to conduct the study ; and  
*providing on-line specification for panelists of the study.*

(emphasis added)

The Office Action states that claim 8 recites the limitations of claims 1-7 in a different combination. Claim 8 specifically claims "providing on-line specification for panelists of the study" as part of the claimed method. No mention is made in the Office Action of "providing on-line specification for panelists of the study" and no reference to Abelow is provided for this part of the claimed method, among other aspects of claim 8. Applicant is further not aware of any part of Abelow which provides this part of the method. Choosing panelists from available panelists for a specific study may be a useful part of the claimed method, allowing for tailored studies of different populations. Thus, Applicant submits that the claimed method is not shown, taught or suggested by Abelow, and the rejection of claim 8 should be withdrawn.

#### Claim 12

Applicant claims in claim 12:

12. A method for creating a multi-region market research study, the method comprising :  
providing on-line definition of the multi-region market research study ; and  
*automatically notifying one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages.*

(emphasis added)

The Office Action states that claim 12 is a different combination of the elements of claims 1-7. The Office Action further states (in reference to claim 1) that Abelow provides "notifying one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages" at pages 49-50 and Figs. 10A-10B (which correspond to pages 49-

50). Applicant submits this misapplies the reference. Figures 10A and 10B illustrate operation of a CB-PD Module interacting with a customer. See Abelow, p. 49. The CB-PD module is part of a customer product, and engages customers in Development Interactions while the customer product is in use. See Abelow, p. 8.

In these Development Interactions with a customer, a different language may be used. See Abelow, p. 50. This is set as a permanent flag for the user, so that future interactions are all in the selected language. *Id.* What this does not represent is actual translation. Rather, it represents accessing various different scripts, based on the permanent flag. Since no translation is provided, and certainly not enabled, no translation services are notified within the meaning of claim 8. Importantly, it must be understood that references to the Development Interactions relate to interactions with customers regarding development of future products (see Abelow, p. 8), not development of surveys in various languages. Thus, *inter alia*, no notification of translation services as recited in claim 12 is provided. Thus, the rejection of claim 12 should be withdrawn, for at least these reasons.

#### Claim 16

Applicant claims in claim 16:

16. A method for creating a multi-region market research study, the method comprising :  
providing on-line definition of the multi-region market research study ; and  
*providing on-line check in for translated study elements of the multiregion market research study translated from an original language into one or more target languages.*

(emphasis added)

The Office Action states that claim 16 is a different combination of the limitations of claim 1-7. The Office Action also states that "providing on-line check in for translated study elements of the multiregion market research study translated from an original language into one or more target languages" is found at Abelow, pages 35-44 and 93-95. Applicant has reviewed the cited pages, and, *inter alia*, does not find a reference to checking in translated study elements, whether on-line or off-line, as recited in claim 16. Moreover, Applicant is not aware of a reference in Abelow as to how translated material is provided. There is definitely not a reference to checking in translated information on-line. On-line check in of translated study elements allows for translation by a remote translator who checks in the translated material without having to send the material to a specific person assembling the market research survey. Thus, Applicant submits that a claimed element has not been shown, and the rejection of claim 16 should be withdrawn for at least this reason.

#### Claim 20

Applicant claims in claim 20:

20. A method for creating a multi-region market research study, the method comprising :  
providing on-line definition of the multi-region market research study ; and  
*providing on-line status monitoring for translations of study elements of the multi-region market research study from an original language into one or more target languages.*

(emphasis added)

The Office Action states that the limitations of claim 20 are merely a different combination of the limitations of claim 1. The Office Action states that Abelow suggests "providing on-line status monitoring for translations of study elements of the multi-region

market research study from an original language into one or more target languages." Applicant submits this misapplies the reference. As described with respect to claim 1, a translator providing translations is not addressed in Abelow, and monitoring status for translations is certainly not addressed. Accordingly, no suggestion of the claimed element, among other elements of claim 20, may be inferred from Abelow. Thus, the rejection of claim 20 should be withdrawn, for at least these reasons.

### Claim 22

Applicant claims in claim 22:

22. An apparatus comprising :  
storage medium having stored therein a plurality of programming instructions designed to implement a plurality of functions in support of on-line creation of a multi-region market research study, including  
a first function to provide on-line definition of the multi-region market research study including providing for on-line selection of one or more regions to conduct the study,  
*a second function to notify one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages,*  
a third function to provide on-line check in for the translated study elements, and  
*a fourth function to provide on-line status monitoring for the translations ; and*  
one or more processors coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states that claim 22 is a different combination of the limitations of claim 1-7 as implemented in a storage medium. The Office Action states (in reference to claim 1) that Abelow provides "notifying one or more translation services to translate study elements of the multi-region market research study expressed in an

original language into one or more target languages" at pages 49-50 and Figs. 10A-10B (which correspond to pages 49-50). The Office Action implies this provides the second function of claim 22. Applicant submits this misapplies the reference. Figures 10A and 10B illustrate operation of a CB-PD Module interacting with a customer. See Abelow, p. 49. The CB-PD module is part of a customer product, and engages customers in Development Interactions while the customer product is in use. See Abelow, p. 8.

In these Development Interactions with a customer, a different language may be used. See Abelow, p. 50. This is set as a permanent flag for the user, so that future interactions are all in the selected language. *Id.* What this does not represent is actual translation. Rather, it represents accessing various different scripts, based on the permanent flag. Since no translation is provided, and certainly not enabled, no translation services are notified within the meaning of claim 22, among other elements. Importantly, it must be understood that references to the Development Interactions relate to interactions with customers regarding development of future products (see Abelow, p. 8), not development of surveys in various languages. Thus, no notification of translation services is provided. Moreover, *inter alia*, "providing on-line status monitoring for the translations" (corresponding to the fourth function) is neither taught nor suggested, as the process by which translations are provided is not described in the Abelow reference. Thus, the rejection of claim 22 should be withdrawn, for at least these reasons.

### Claim 29

Applicant claims in claim 29:

29. An apparatus for creating a multi-region market research study, the apparatus comprising :

storage medium having stored therein a plurality of programming instructions designed to implement a plurality of functions in support of on-line creation of a multi-region market research study, including a first function to provide

on-line definition of research methods of the multi-region market research study,

on-line selection of one or more regions to conduct the study ; and

*on-line specification for panelists of the study* ; and

one or more processors coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states that claim 29 is a storage medium embodiment of the method of claims 1-21. The Office Action also states that claim 8 recites the limitations of claims 1-7 in a different combination. Claim 29 specifically claims, *inter alia*, "on-line specification for panelists of the study" as part of the claimed storage medium. No mention is made in the Office Action of "on-line specification for panelists of the study" and no reference to Abelow is provided for this part of the claimed method. Applicant is further not aware of any part of Abelow which provides this part of the method. Choosing panelists from available panelists for a specific study may be a useful part of the claimed method, allowing for tailored studies of different populations. Thus, Applicant submits that the claimed method is not shown, taught or suggested by Abelow, and the rejection of claim 29 should be withdrawn.

### Claim 33

Applicant claims in claim 33:

33. A apparatus for creating a multi-region market research study, the apparatus comprising :



storage medium having stored therein a plurality of programming instructions designed to implement a plurality of functions in support of on-line creation of a multi-region market research study, including

a first function to provide on-line definition of the multi-region market research study, and

*a second function to automatically notify one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages ; and*

one or more processors coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states that claim 12 is a different combination of the elements of claims 1-7, and that claim 33 is a storage method version of claims 1-21. The Office Action further states (in reference to claim 1) that Abelow provides, among other claim elements, "notifying one or more translation services to translate study elements of the multi-region market research study expressed in an original language into one or more target languages" at pages 49-50 and Figs. 10A-10B (which correspond to pages 49-50). Applicant submits this misapplies the reference. Figures 10A and 10B illustrate operation of a CB-PD Module interacting with a customer. See Abelow, p. 49. The CB-PD module is part of a customer product, and engages customers in Development Interactions while the customer product is in use. See Abelow, p. 8.

In these Development Interactions with a customer, a different language may be used. See Abelow, p. 50. This is set as a permanent flag for the user, so that future interactions are all in the selected language. *Id.* What this does not represent is actual translation. Rather, it represents accessing various different scripts, based on the permanent flag. Since no translation is provided, and certainly not enabled, no translation services are notified within the meaning of claim 8. Importantly, it must be

understood that references to the Development Interactions relate to interactions with customers regarding development of future products (see Abelow, p. 8), not development of surveys in various languages. So, no notification of translation services is provided, and the claimed second function is thus not provided. Thus, the rejection of claim 33 should be withdrawn, for at least these reasons.

### Claim 37

Applicant claims in claim 37:

37. An apparatus for creating a multi-region market research study, the apparatus comprising :

storage medium having stored therein a plurality of programming instructions designed to implement a plurality of functions in support of on-line creation of a multi-region market research study, including

a first function to provide on-line definition of the multi-region market research study, and

*a second function to provide on-line check in for translated study elements of the multi-region market research study translated from an original language into one or more target languages ; and*

one or more processors coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states that claim 16 is a different combination of the limitations of claim 1-7, and that claim 37 is a storage medium version of claims 1-21. The Office Action thus implies, among other claim elements, that "a second function to provide on-line check in for translated study elements of the multi-region market research study translated from an original language into one or more target languages " is found at Abelow, pages 35-44 and 93-95. Applicant has reviewed the cited pages, and does not find a reference to checking in translated study elements, whether on-line or off-line.

Moreover, Applicant is not aware of a reference in Abelow as to how translated material is provided. There is definitely not a reference to checking in translated information on-line. On-line check in of translated study elements allows for translation by a remote translator who checks in the translated material without having to send the material to someone assembling the market research survey. Thus, Applicant submits that a claimed element has not been shown, and the rejection of claim 37 should be withdrawn for at least this reason.

#### Claim 41

Applicant claims in claim 41:

41. An apparatus for creating a multi-region market research study, the apparatus comprising :

storage medium having stored therein a plurality of programming instructions designed to implement a plurality of functions in support of on-line creation of a multi-region market research study, including

a first function to provide on-line definition of the multi-region market research study, and

*a second function to provide on-line status monitoring for translations of study elements of the multi-region market research study from an original language into one or more target languages ; and*

one or more processors coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states that the limitations of claim 20 are merely a different combination of the limitations of claim 1, and that claim 41 is a storage medium version of claims 1-21. The Office Action states that, among other claim elements, Abelow suggests "providing on-line status monitoring for translations of study elements of the multi-region market research study from an original language into one or more target

languages." This implies the second function is provided. Applicant submits this misapplies the reference. As described with respect to claim 1, a translator providing translations is not addressed in Abelow, and monitoring status for translations is certainly not addressed. Accordingly, no suggestion of the claimed element may be inferred from Abelow. Thus, the rejection of claim 41 should be withdrawn, for at least these reasons.

### Claim 43

Applicant claims in claim 43:

43. A method for creating a multi-region market research study, the method comprising :  
providing on-line definition of the multi-region market research study including providing for on-line selection of one or more regions to conduct the study ; and  
*providing in real time a cost estimate for the multi-region market research based at least in part on the regions the study is to be conducted, including translation cost if any to enable the study to be conducted in the selected regions.*

(emphasis added)

The Office Action states with respect to claim 3 that providing real-time cost estimates, among other claim elements, would have been obvious to the skilled artisan. The Office Action further states that claims 43-47 recite limitations of claims 1-7 in different combinations. The Office Action states that Abelow, page 48, provides motivation for this advance. Applicant submits this misapplies the reference.

Abelow discusses at page 48 the idea of getting customer feedback to achieve time and dollar savings in the future – to help improve the products provided to the customer. This is significantly different from saving costs on the actual market research. Rather, this justifies the expense of the market research, without reference to

attempting to limit that expense. Thus, Applicant submits that a claimed element is not taught or suggested by Abelow, and that the rejection of claim 43 should be withdrawn.

#### Claim 48

Applicant claims in claim 48:

48. An apparatus comprising :  
storage medium having stored in a plurality of programming instructions designed to provide on-line definition of a multi-region market research study including providing for on-line selection of one or more regions to conduct the study, and *providing in real time a cost estimate for the multi-region market research based at least in part on the regions the study is to be conducted, including translation cost if any* to enable the study to be conducted in the selected regions ; and  
a processor coupled to the storage medium to execute the programming instructions.

(emphasis added)

The Office Action states with respect to claim 3 that providing real-time cost estimates would have been obvious to the skilled artisan. The Office Action further states that claims 48-52 recite the features of claims 1-21 and 43-47 in storage medium form. The Office Action states that Abelow, page 48, provides motivation for this advance (providing real-time cost estimates), among other claim elements. Applicant submits this misapplies the reference.

Abelow discusses at page 48 the idea of getting customer feedback to achieve time and dollar savings in the future – to help improve the products provided to the customer. This is significantly different from saving costs on the actual market research. Rather, this justifies the expense of the market research, without reference to attempting to limit that expense. Moreover, no mention is made of translation costs

being a variable to be controlled in expenses for market research. Thus, Applicant submits that a claimed element is not taught or suggested by Abelow, and that the rejection of claim 48 should be withdrawn.

#### Dependent Claims

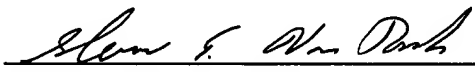
Each of the remaining claims (2-7, 9-11, 13-15, 17-19, 21, 23-28, 30-32, 34-36, 38-40, 42 and 44-47) depends from one of the independent claims already discussed, either directly or indirectly. As a result, each dependent claim is allowable for at least the same reasons listed for the independent claims above.

**CONCLUSION**

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is cordially invited to telephone the undersigned counsel at (650) 838-4300 to arrange for such a conference. No fees are believed to be due beyond those for which a check is enclosed, however, the Commissioner is authorized to charge any underpayment in fees to Deposit Account No. 50-2207, including any funds necessitated due to an accompanying check being drawn on an account with insufficient funds. To the extent necessary and not otherwise requested, Applicant requests an Extension of Time to respond to the Office Action, and requests that the fee for such an extension be charged to Deposit Account number 50-2207. This paper is being filed in duplicate.

Respectfully submitted,  
Perkins Coie LLP

Date: October 25, 2005

  
Glenn E. Von Tersch  
Registration No. 41,364

**Correspondence Address:**

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026  
(650) 838-4300